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FILED

DISTRICT COURT OF GUAM

JAN 31 2007

MARY L.M. MORAN
CLERK OF COURT

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7 | Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF GUAM

10 UNITED STATES OF AMERICA,) CRIMINAL CASE NO. 97-00039
11 Plaintiff,)
12 vs.) PETITION TO REMIT FINE
13 PEDRO MEREP,) [18 U.S.C. § 3573]
14 Defendant.)

16 COMES NOW the United States of America, by and through its undersigned counsel, and
17 respectfully petitions this Court pursuant to 18 U.S.C. § 3573 for the entry of an order remitting
18 the unpaid fine earlier imposed upon Defendant PEDRO MEREP and in support hereof, states as
19 follows:

20 1. On May 20, 1998, sentence was imposed by this Court against Defendant
21 PEDRO MEREP. Among other things, a \$15,000.00 Fine was ordered. Interest accrues at the
22 legal rate of 5.434 percent. The total amount owed by said Defendant is \$20,742.75 which
23 includes interest as of 3/13/2006.

24 2. Upon information received from the Immigration and Customs Enforcement
25 Deportable Alien Control System (ICE/DACS), the defendant, PEDRO MEREP, was deported to
26 Palau on June 29, 2006. See Exhibit "A."

27 3 No valid address is available for defendant.

28 //

1 4. Upon information furnished by the U.S. Probation Office in the Presentence
2 Investigation Report, Defendant PEDRO MEREP, does not have the ability to pay a fine.

3 5. Section 3573 of Title 18, United States Code, as amended, provides in pertinent
4 part as follows:

5 Upon petition by the Government showing that reasonable efforts to
6 collect a fine or assessment are not likely to be effective, the court may, in the
interest of justice --

8 6. The United States Attorney has determined that in light of Defendant's deportation
9 and inability to pay, there is no reasonable likelihood that expending further efforts to collect the
10 fine will produce any revenue to the United States. To the contrary, any further efforts will
11 needlessly expend resources that could be better directed to areas with greater potential for
12 recovery.

13 76. The interests of justice mitigate in favor of remission of the unpaid fine.

WHEREFORE, the United States of America respectfully requests that this Court enter an order remitting the unpaid fine imposed upon Defendant.

16 DATED this 31st day of January, 2007.

LEONARDO M. RAPADAS
United States Attorney
~~Districts of Guam and NMI~~

By:

MARIVIC P. DAVID
Assistant U.S. Attorney

DAXLO21

DACS CASE CLOSURE LOOK SCREEN

DATE: 08/08/2006

TIME: 00:58:36

A-NUM : 090005242
NATLTY: PALAU

LAST-NAME : MEREP
FIRST-NAME: PEDRO

DATE-DOCKET-CLEARED: 07/10/2006

DEPART-CLEARED-STAT: 8

TRANSFER-TO-DCO:

DATE-DOCKET-TRANSFER:

DATE-DEPARTED: 06/29/2006

PORT-DEPARTED: NEW

DEPART-COUNTRY: PALAU

FINAL-CHARGE: I2C

EXPENSE-CODE: 1

HIT PF4 TO RETURN TO CASE SELECT SCREEN OR ENTER FOR NEXT SCREEN

